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This document describes alternative approaches I considered for modifying the Usable Open Space requirement instead of removing it. It also describes the problems each alternate approach would result from such a modification.

The Problem With Relaxing Usable Open Space Requirements

I considered ways of making the requirement less impactful, however no matter how I tried to modify the requirement, it created problems of its own.

Additionally, linked at the end of this doc is details of Medford's Usable Open Space provisions.

Reducing Dimensions

I considered reducing the dimensions to e.g. 20x20. However, this creates a problem:

Currently there are many nonconforming lots that do not comply with usable open space because they have no dimension greater than 25 feet. However, those currently non-conforming lots have the ability to dormer their attic. Under Section 8.1.3(A):

Alteration, reconstruction, extension, or structural change to a single or two-family residential structure that is completely within the existing foundation walls does not increase the nonconforming nature of said structure.

Shrinking this dimension makes it likely that some lots will come into conformance. If they come into conformity, they may find themselves unable to add a dormer without creating a new non-conformity; they might need a variance to do so, which they are unlikely to get. This may take away vested rights that the current property owners have.

Reducing Percentage

I considered reducing the percentage from e.g. 30% of GFA to a lower percent (e.g. 15%). However, this carries the same risk as above: that someone who is currently non-conforming becomes conforming and loses the ability to do something that they could currently do under Section 8.1.3(A).

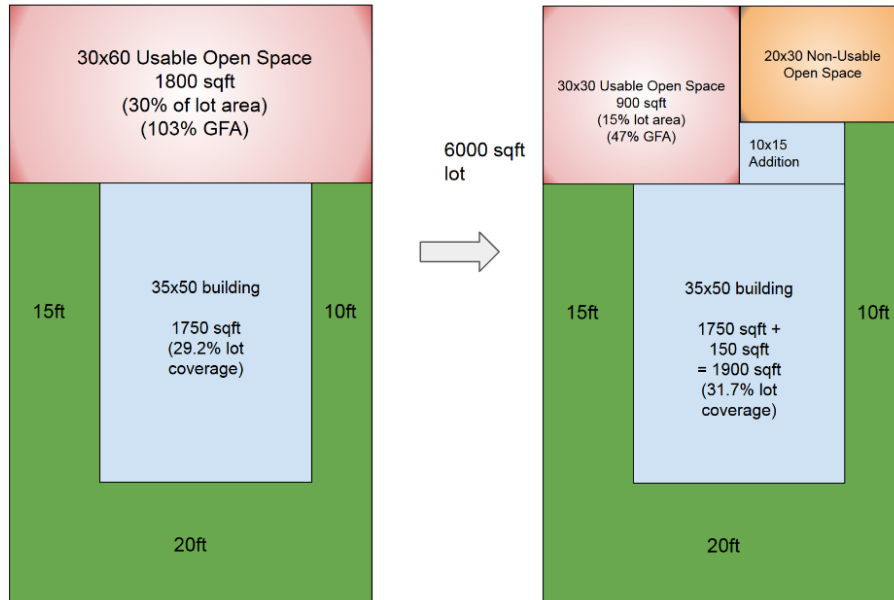
Make UOS not scale with GFA

I considered making Usable Open Space scale with the lot size, instead of the Gross Floor Area. While this has the effect of reducing the requirement for buildings with an FAR > 1, it increases the requirement for FAR < 1. Almost every 1F and 2F dwelling has an FAR < 1, so this would have the effect of making huge portions of Arlington out of conformance.

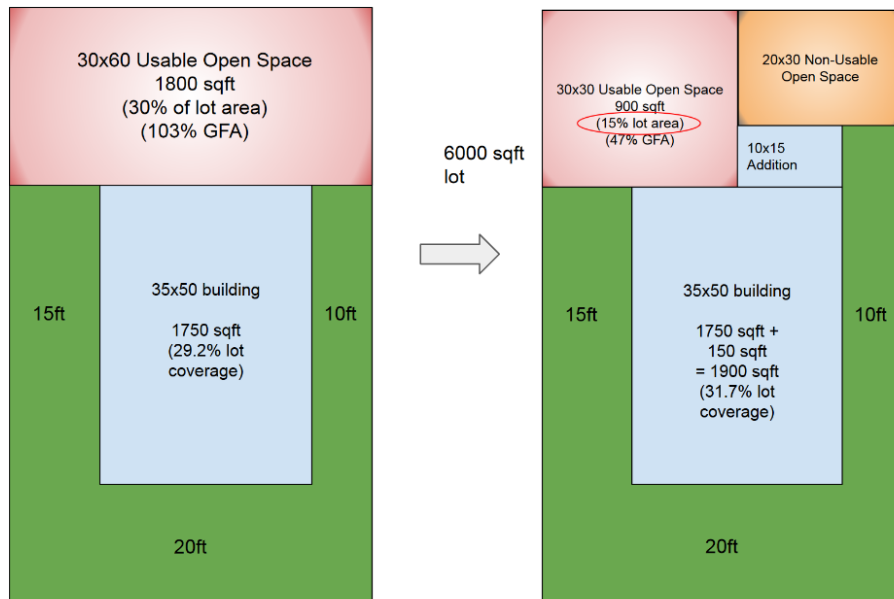
Example of Changing UOS to be based on Lot Area

The house below can add an addition by right; they remove UOS but still have enough to meet the requirement (30% of GFA). If we change UOS to be based on the lot area, the same house cannot add the same addition because it creates a new non-conformity.

Usable Open Space - 30% of GFA



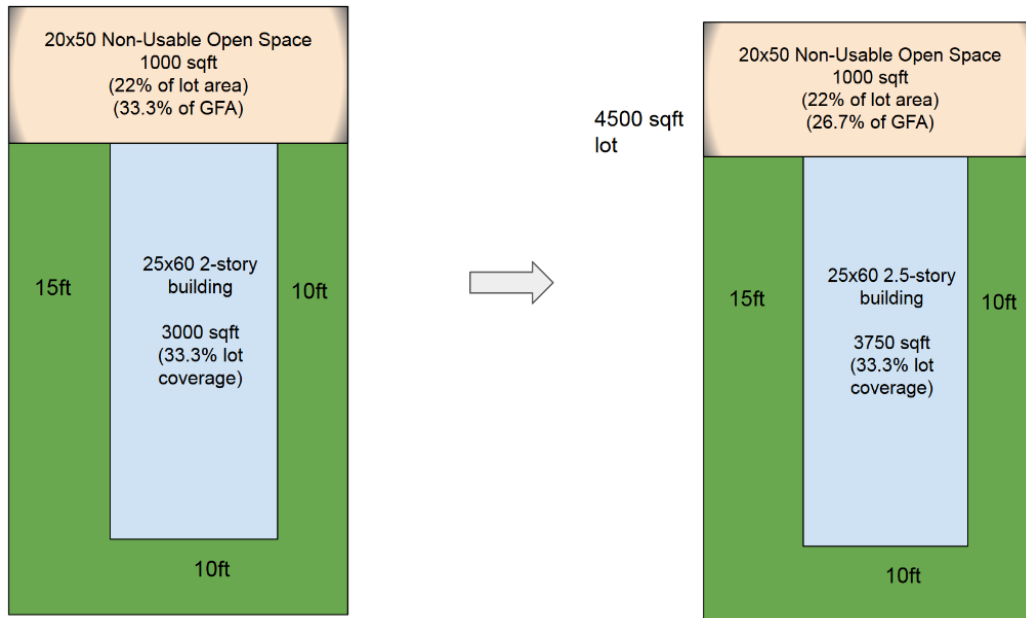
Usable Open Space - 30% of Lot Area



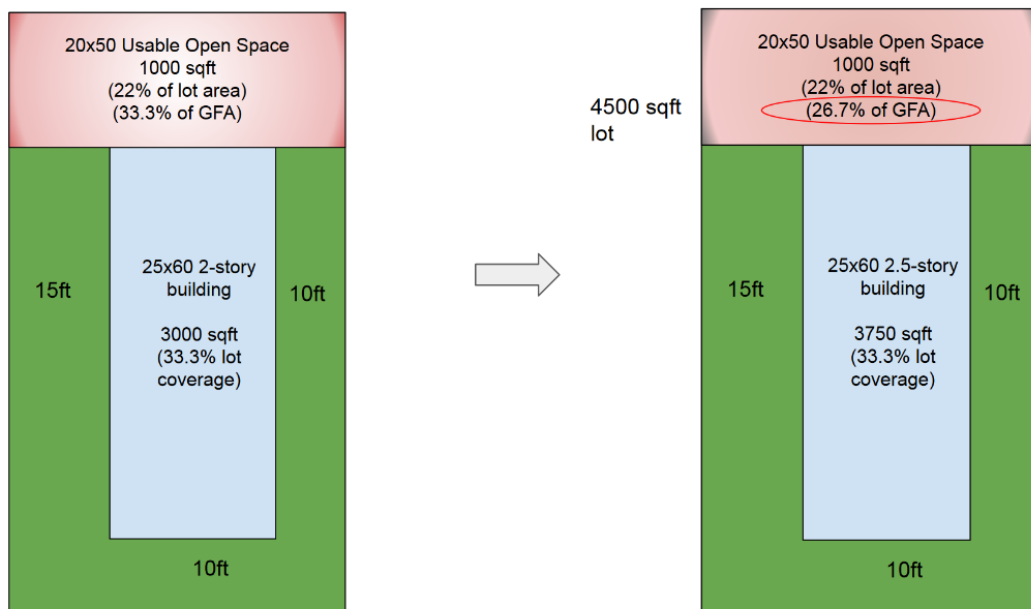
Example of Change UOS to have a different minimum dimension

Note that when changing to have e.g. a 20ft dimension, a previously conforming lot becomes conforming. Previously they could dormer their attic; now that they are conforming, the same dormer would take the UOS below 30% of GFA (circled in red), which creates a new nonconformity.

Usable Open Space - 25ft Dimension



Usable Open Space - 20ft Dimension



Medford Use Regulations For One- and Two-family dwellings, specifically Usable Open Space
https://library.municode.com/ma/medford/codes/code_of_ordinances?nodeId=PTIIREOR_CH94ZO_ARTIIVUSRE_DIV2DIRE_S94-171GEDIRE

Relevant excerpt, showing that Medford does not require Usable Open Space for one and two families

MINIMUM PERMITTED										
				Lot			Open Space % Gross Floor Area		Yards (feet)	
				Area (square feet)						
				Per Dwelling Unit	Total	Frontage (feet)	Width (feet)	Depth (feet)	Landscaped	Usable
1.	Detached single-family dwelling									
	(a)	In SF-1 districts		N/A	7,000	35	50	<u>.55</u>	N/A	N/A
	(b)	In all other districts		N/A	5,000	35	50	<u>.55</u>	N/A	N/A
2.	Detached two-family dwelling			N/A	6,000	35	60	60	N/A	N/A
3.	Attached single-family dwelling									
	(a)	End dwelling unit		N/A	3,500	35	<u>.35</u>	75	10%	25%
	(b)	Middle dwelling unit		N/A	2,500	25	<u>.25</u>	75	5%	25%
4.	Multiple dwelling				10,000	50	100	100	10%	H+L / 6 but at least 15
	(a)	1st and 2nd dwelling units, total		4,500						25%
	(b)	Each additional dwelling unit								
	1)	On first three floors		1,000						25%

Medford definition of usable open space

https://library.municode.com/ma/medford/codes/code_of_ordinances?nodeId=PTIIREOR_CH94ZO_ARTIINGE_S94-2DE

Open space means total lot area minus the first floor area of any building plus such roof and balcony spaces that are flat, enclosed by walls at least four feet in height and that have walls and floors of an opaque material.

Open space, usable means open space designed and available for the occupants of the lot for recreation or household service activities, such as clothes drying. Such space may not include lot area used for parking, loading, or access drives. Open space shall be deemed usable only if all of the following conditions apply:

- (1) At least 75 percent of the area is at a grade of less than eight percent.*
- (2) Each horizontal dimension is at least 15 feet, except for balcony space.*
- (3) Such space is at least ten feet from any dwelling unit, except for space which is for the exclusive use of that dwelling unit, and at least ten feet from any lot line.*
- (4) Such space is at least 75 percent open to the sky, except for balcony space.*